

**Testimony of Montgomery County Executive Doug Duncan  
Regarding Comcast's Refusal to Air Washington Nationals Games  
Friday April 7, 2006**

- **Mr. Chairman, members of the Committee. Thank you for the opportunity to testify today.**
- **I want to commend you, Chairman Davis, Congressman Van Hollen and the entire Committee for holding this important hearing on the effective blackout of most Washington Nationals' games.**
- **In the movie "A League of Their Own," Tom Hanks offered this observation: There is no crying in baseball.**
- **With all due respect, Mr. Hanks was wrong.**
- **Thousands of Nationals fans are near tears because of the fact most games -- 120 of 162 -- will be virtually unavailable for viewing here in the Washington, D.C. area north through Baltimore.**
- **Because of the strong media market that reaches from Baltimore south through Montgomery and Prince George's counties, Maryland sports fans are blessed with two baseball, two football, and two professional soccer teams.**
- **We know that it's just sports. But the fabric of team loyalty becomes interwoven with family bonds and memories.**
- **Thanks to Major League Baseball and Orioles owner Peter Angelos, we have a unique situation. The plan devised by their agreement led to the development of the Mid Atlantic Sports Network, a media outlet designed to enable fans throughout the state to view sports entertainment from both teams.**
- **This will lead to stronger sports franchises, dual sports loyalties and more exciting rivalries -- all positives for Marylanders.**
- **There's one impediment to this.**
- **That, unfortunately, is the power of media companies that have a chokehold on the television sets in many homes in Maryland, to block**

access to content.

- **Comcast Cable currently has an effective television monopoly in a number of local jurisdictions in Maryland.**
- **This is a legal right granted by the counties/state in order to achieve universal cable coverage. It wasn't a monopoly granted to Comcast to make unilateral decisions about the programming available to its customers.**
- **I am extremely frustrated that as we enter the Nationals second season only 40 if their games will be available to Comcast viewers in area where WDCA-TV Channel 20 is available.**
- **This leaves out many baseball fans in the state where this channel is not covered; it leaves out everyone else during the other 120 Nationals games where sports fans get shutout by Comcast.**
- **I am a lifelong Baltimore Orioles fan, but I couldn't have been more pleased when Mayor Williams brokered a deal to bring the Montreal Expos to Washington, D.C. and give us the Nationals.**
- **I believe that competition in sports is good, just as I believe that competition in the marketplace is good.**
- **Unfortunately, that competition is being hampered because fans are being denied the right to watch the team of their choice on television.**
- **I believe that this is an unfortunate case of self-interest and shortsightedness.**
- **The time to have resolved this matter and negotiated a deal - one that would have achieved the business interests of all parties involved - was in the off-season.**
- **Regrettably, Comcast chose to litigate, not negotiate.**
- **We are entering an era where viewers will have choices beyond coaxial cable. Video over the internet is about to be rolled out in many jurisdictions. In fact, Montgomery County is in negotiations right now over these services.**
- **I think the market will end up providing the competition we need to avoid**

media conglomerates asserting a chokehold on content.

- However, Nationals fans shouldn't have to wait years for this to happen.
- I urge Comcast to immediately begin carrying Nationals games on the same basis they carry Comcast Sports Net for a 90 day cooling off period, during which time the company and MASN can enter into good-faith negotiations to resolve this matter.
- If there is no action by the company by the time the Nationals finish their first home season this week, then I believe Congress needs to step in and take appropriate action to ensure that baseball fans can watch the team of their choice.
- I understand that there is much at stake for all parties involved. However, what is at stake for baseball fans is being denied the right to watch America's favorite pastime on television and root for the team of their choice.
- Mr. Chairman, as a lifelong baseball fan, I can tell you *those* are pretty high stakes.
- Thank you again for the opportunity to testify today.